

3 SELECTED REMEDY

3.1 Cleanup Remedy Required to Comply with Consent Decree

The RI/FS and CAP developed and evaluated three potential remedial alternatives for the site. As set forth in the Consent Decree, the selected cleanup alternative for the site is a cap constructed along the northern landfill area (the former Sash & Door property shoreline) and localized upland areas, institutional controls, and monitoring of localized surface water seeps. Based on a consideration of geochemical processes controlling copper and zinc mobility at the site, the identified shoreline capping system would be designed to restrict tidal mixing and associated oxygen transfer into nearshore refuse deposits of the northwest landfill lobe. Such a cap system is expected to be effective in controlling the release of copper and zinc into Whatcom Creek. Furthermore, as described in the next section, it offers a concurrent opportunity to improve the quality of intertidal habitat in this area.

3.2 Contingent Remedy - Integrated Cleanup and Habitat Restoration

Contingent upon continuing participation by ecosystem restoration funding sources as described in the CAP, the selected cleanup alternative may be modified by combining habitat restoration, public access, and land use elements into a single integrated cleanup remedy (also incorporating source control elements as discussed above). While the habitat restoration component is not necessary to achieve cleanup goals, it is fully consistent with remedial action objectives and the Bellingham Bay Comprehensive Strategy (Ecology 2000).

The integrated plan includes:

- Excavating wedges of shoreline solid waste within and adjacent to the “B” Street right-of-way, and along limited oversteepened/bulkhead areas of the Maritime Heritage Park shoreline, and disposing the excavated material off-site;
- Backfilling the excavation areas with a clean cap graded to relatively flat slopes, concurrently providing slope stabilization and restoring historically lost aquatic habitat in this important estuary;
- Enhancing the existing soil cap in portions of the Maritime Heritage Center to be consistent with other landfill areas already capped to ensure that humans and the environment are protected from buried solid waste; and
- Incorporating public access into the overall project design to address existing community open space goals and planning objectives.

The final site layout and grades that would result from this integrated plan are shown on Figure 3-1.

The habitat restoration component of this contingent integrated action includes conversion of approximately 0.3 acres of existing uplands to aquatic habitat via excavation of refuse and capping. This will restore critical estuarine riparian buffer, marsh, and mudflat banks that existed historically in this area of Bellingham Bay. This action has also been designed to provide a park-like setting allowing citizens trail access along this stretch of Whatcom Creek to the Maritime Heritage Center, potentially linked into the larger Whatcom Creek Trail Master Plan. Incorporating public access design with cleanup and habitat restoration will help meet community open space goals and planning objectives, leverage additional community support and funding, and provide an opportunity to educate the public about critical estuarine environments. Future site plans are consistent with maintaining long-term habitat restoration and public access benefits.

This DAR is based on the assumption that the integrated cleanup and habitat restoration remedy will be carried forward by the City, consistent with the terms of the recently entered Consent Decree with Ecology. During the final design review period, the City will endeavor to secure the required habitat funding sources; the City remains optimistic that sufficient habitat restoration funding will be obtained to allow the Project to proceed on schedule. However, in the unlikely event that the required habitat restoration funding is not secured in time to facilitate implementation of the integrated remedy (as set forth in the Schedule incorporated into the Consent Decree), the City will notify Ecology of this condition, and will propose an alternate plan of action to allow the terms of the Consent Decree to be met. In this event, a revised design submittal may be required.

Insert Figure 3-1 here

